

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: Jan.25, 2006  
Bulk Item: Yes ☐ No ☒

Division: BOCC  
Department: DISTRICT FIVE

Staff Contact Person: Donna Hanson

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**AGENDA ITEM WORDING:** Approval of Amendment to Employment Agreement with Thomas J. Willi, County Administrator, raising the County Administrator's base salary by 4% to reflect the agreement entered into with Mayor Nelson for \$10,000 bonus after one year.

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**ITEM BACKGROUND:** Given the scope of work and the outstanding job that Mr. Tom Willi has provided during the last year, a raise of 4% or \$5,867, is warranted. The effective date of the increase will be October 1, 2005. At its meeting on July 25, 2005, the BOCC approved a \$10,000 bonus to the County Administrator which was never implemented due to an Attorney General's opinion interpreting the state statute which precludes a payment of a bonus unless there is a bonus plan with specific provisions in place.

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**PREVIOUS RELEVANT BOCC ACTION:** As stated above. At the January 18, 2006 Board meeting, the BOCC postponed this item to this date to discuss an evaluation of the County Administrator and the approval of the attached Amendment to Employment Agreement.

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**CONTRACT/AGREEMENT CHANGES:**

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**STAFF RECOMMENDATIONS:**

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**TOTAL COST:** 4% = \$5,867.44 **BUDGETED** Yes ☐ No ☒

**COST TO COUNTY:** 4% = \$5,867.44 **SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes ☐ No ☐ **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty \_\_\_\_\_ OMB/Purchasing \_\_\_\_\_ Risk Management \_\_\_\_\_

**DIVISION DIRECTOR APPROVAL:** Murray E. Nelson  
**MAYOR PRO TEM MURRAY E. NELSON**

**DOCUMENTATION:** Included ☒ Not Required \_\_\_\_\_

**DISPOSITION:** \_\_\_\_\_ **AGENDA ITEM #** \_\_\_\_\_

**AMENDMENT TO EMPLOYMENT AGREEMENT  
COUNTY ADMINISTRATOR**

THIS AMENDMENT is made and entered into this 18th day of December, 2005, between the Board Of County Commissioners of Monroe County, Florida, hereinafter "County", and Thomas J. Willi., hereinafter "Administrator."

WHEREAS, on September 8, 2004, the parties entered into an agreement for County Administrator for the period November 1, 2004, through October 31, 2008; and

WHEREAS, the parties entered into an amendment on November 16, 2005; and

WHEREAS, that amendment was intended to allow the Administrator to enjoy the same cost of living raise as was afforded to non-union County employees as of October 1, 2005, and to allow flexibility in the manner of evaluation; and

WHEREAS, the amendment has been interpreted to preclude the Administrator from receiving the cost-of-living raise accorded to other employees, and also confuses the issue of merit increases; and

WHEREAS, the parties find it in the best interests of both to amend the agreement to address compensation issues; now therefore,

IN CONSIDERATION OF THE MUTUAL COVENANTS BELOW, IT IS AGREED AS FOLLOWS:

1. Section 8, Base Salary, of the Agreement entered September 8, 2004, as amended November 16, 2005, shall be amended by adding:

D. Effective October 1, 2005, compensation shall be determined as follows:

In consideration of the services to be performed by the Administrator for the benefit of the BOCC and the County as contained elsewhere in this Agreement, the BOCC will pay to the Administrator, the sum of One Hundred Fifty-Two Thousand Five Hundred Fifty-Three & 44/100 Dollars (\$152,553.44) per annum for the period October 1, 2005, through September 30, 2006. Thereafter, the Administrator shall receive the same cost-of-living and merit increases awarded to non-union County employees, unless the parties shall, in writing, amend this agreement to effect a different compensation.

2. All other provisions of the September 8, 2004 agreement, as previously amended, not inconsistent herewith, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal, the day and year first written above.

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK


BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By: \_\_\_\_\_

\_\_\_\_\_  
Mayor/Chairman

Deputy Clerk

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM

  
SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY  
Date 1/09/06

COUNTY ADMINISTRATOR

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Thomas J. Willi.